

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

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U.S. DISTRICT COURT
N.D. OF ALABAMA
FILED
MAR 1 2004

TIMOTHY C. ANDERSON,

Plaintiff,

vs.

J. B. MILLER, *et al.*,

Defendants.

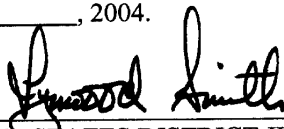
CV 00-S-3158-S

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on March 5, 2004, recommending that defendant J. B. Miller's motion to dismiss be granted and that J. B. Miller be dismissed as a defendant in this action. (Doc. #64). The plaintiff filed an opposition to the motion to dismiss on March 4, 2004. (Doc. #63).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, defendant J. B. Miller's motion to dismiss is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE as to defendant Miller. An Order of Dismissal will be entered.

DONE this the 30th day of March, 2004.


UNITED STATES DISTRICT JUDGE